

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
INDEMNITY INSURANCE COMPANY OF N.A.,  
et al., :

Plaintiff, :

TRUCKS, INC., et al., :

Defendants. :

----- X

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#  
DATE FILED: 5/14/13

13 Civ.1176 (SAS) (AJP)

**ORDER OF DISMISSAL ON CONSENT**

**ANDREW J. PECK, United States Magistrate Judge:**

The parties having informed the Court that they have reached a settlement agreement in principle and are finalizing settlement documents (see attached letter), IT IS HEREBY ORDERED THAT this action is dismissed with prejudice and without costs, provided, however, that any party may reinstate the action within 30 days hereof if the settlement is not fully effectuated. Any pending motions are to be terminated as moot.

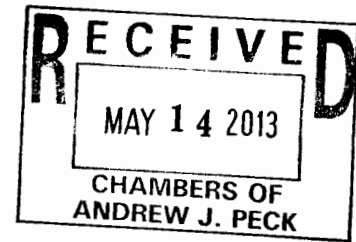
SO ORDERED.

DATED: New York, New York  
May 14, 2013

  
\_\_\_\_\_  
**Andrew J. Peck**  
United States Magistrate Judge

Copies **by ECF** to: All Counsel  
Judge Shira A. Scheindlin

LAW OFFICES  
**DAVID L. MAZAROLI**  
11 PARK PLACE  
Suite 1214  
NEW YORK, NY 10007  
E-mail: [dln@mazarolilaw.com](mailto:dln@mazarolilaw.com)  
Telephone (212)267-8480  
Telefax (212)732-7352



May 14, 2013

**TELEFAX: (212)805-7933**

Honorable Andrew J. Peck  
United States Magistrate Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

Re: Insurance Company of North America  
v. Trucks Inc., *et al.*  
13 Civ.1176 (SAS) (AJP)  
Our File: 2G-2209

Dear Judge Peck:

I represent the plaintiff. Last week counsel reached an agreement to recommend settlement. As of yesterday plaintiff and defendants approved the key term of the settlement, i.e. that \$25,000.00 will be paid to plaintiff on behalf of defendant Trucks, Inc. to settle the entire case. The closing documents are still under review. I will report further to the Court in this regard by May 21, 2013. The Court's attention is appreciated.

Respectfully,

A handwritten signature in black ink, appearing to read "D. Mazaroli".

David L. Mazaroli

DLM/jcf

cc: George W. Wright & Associates, LLC  
Attn.: George W. Wright, Esq. ([gwright@wright-associates.com](mailto:gwright@wright-associates.com))

LAW OFFICES  
**DAVID L. MAZAROLI**  
11 PARK PLACE  
NEW YORK, NY 10007  
E-Mail: dlm@mazarolilaw.com  
Telephone (212) 267-8480  
Telefax (212) 732-7352

**TRANSMISSION COVERSHEET**  
**CONFIDENTIAL COMMUNICATION**

May 14, 2013

**TELEFAX: (212)805-7933**

Honorable Andrew J. Peck  
United States Magistrate Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

Copy to defense counsel via e-mail

Please see annexed (1 pages)

---

**CONFIDENTIALITY NOTICE** - This transmission (and/or the documents accompanying it) contain confidential information belonging to the sender which is protected by the attorney-client privilege. The information is intended for the use of the individuals or entities named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution of or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, kindly notify us by collect telephone call to arrange for the return of the transmission.